

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE AS TO
	:	<u>SPECIFIC PROPERTY</u>
JAMES NEFF,	:	
	:	25 Cr. <u>211</u> (CS)
Defendant.	:	
-----	x	

WHEREAS, on or about June 12, 2025, JAMES NEFF (the “Defendant”), was charged in an Information, 25 Cr. ____ (CS) (the “Information”), with possession of firearms and ammunition after a felony conviction, in violation of Title 18, United States Code, Section 922(g)(1) (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), of any and all firearms and ammunition involved in or used in the offense charged in Count One of the Information, and the following specific property:

- a. 9mm Luger caliber privately-made Sig Sauer Model P320-style pistol;
- b. 9mm Luger caliber privately-made SS80 Glockstore Model Glock 43-style pistol;
- c. 9mm Luger caliber Sar Arms Model Hawk-PP pistol;
- d. .40 Smith & Wesson caliber privately-made Polymer 80 Model PF940C Glock 23-style pistol (Glock 23 slide and barrel serial number DXG411);
- e. 9mm Luger caliber privately-made Sig Sauer Model P228-style pistol;
- f. .45 Auto caliber privately-made Polymer 80 Model PF45 Glock 21-style pistol;
- g. 9mm Luger caliber privately-made Polymer 80 Model PFSS pistol;

- h. .40 Smith & Wesson caliber privately-made Polymer 80 Model PF940V2 Glock 22-style pistol;
- i. .45 Auto caliber privately-made Polymer 80 Model PF45 Glock 21-style pistol;
- j. .40 Smith & Wesson caliber privately-made Polymer 80 Model PF940C Glock 23-style pistol (Glock 23 slide and barrel serial number DZZ026);
- k. 9mm Luger caliber privately-made Polymer 80 Model PF9SS Glock 43X-style pistol;
- l. .32 Smith & Wesson Long caliber Harington & Richardson Model 732 revolver;
- m. .22 long rifle caliber Hi Standard Model R 100 revolver;
- n. 9mm Luger caliber privately-made Mac-11-style pistol;
- o. 9mm Luger caliber Sig Sauer Model P226 pistol;
- p. 5.56mm caliber privately-made rifle, with pistol grip, bayonet lug, and muzzle device;
- q. 12-gauge Mossberg Model 500 ATP shotgun;
- r. 9mm Luger caliber Keltee Model Sub 2000 rifle;
- s. 12 gauge Remington Model 11-87 Premier shotgun;
- t. 7.62mm caliber Armscorp USA model M-14 rifle;
- u. .32 Winchester Special caliber Winchester Model 94 rifle;
- v. 5.56mm caliber Rock River Arms Model LAR-15 rifle;
- w. .223 Remington caliber Century Arms Model Golani Sporter rifle;
- x. 12 gauge Smith & Wesson Model 3000 shotgun;
- y. .22 long rifle caliber Mossberg Model 144 LSA rifle;
- z. .22 long rifle caliber Sears & Roebuck/J.C. Higgins Model 103.18 rifle;
- aa. 5.56 caliber Olympic Arms Model P.C.R. 99 rifle;

- bb. 7.62 x 39mm caliber ITM Arms Model MK99 rifle;
- cc. .22 long rifle caliber Walther Model Walther UZI .22LR MP rifle;
- dd. 7.62 x 39mm caliber Norinco Model SKS rifle;
- ee. 7.62 x 39mm caliber SKS rifle of unknown Chinese origin, imported by PW Arms;
- ff. a readily-assembled pipe bomb; and
- gg. any and all ammunition seized from the Defendant on or about May 1, 2024, including from premises used or possessed by the Defendant, including his residence in Dobbs Ferry, New York, his storage unit in Mount Vernon, New York, and his storage unit in East Stroudsburg, Pennsylvania;

(a. through gg., collectively, the "Subject Property");

WHEREAS, on or about June 12, 2025, the Defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), all right, title and interest in the Subject Property;

WHEREAS, the Defendant consents to the forfeiture of all his right, title and interest in the following property which constitutes property used or intended to be used to facilitate the offense charged in Count One of the Information:

- i. any and all ammunition or firearms seized from the Defendant's residence located on Myrtle Avenue, Dobbs Ferry, New York on or about May 1, 2024, including the following:
 - a. one 9mm Luger PMC round; and
 - b. one 9mm Luger CBC round
- ii. any and all ammunition or firearms seized from the Defendant's storage unit, Storage Unit 0116, located at Snapbox Self-Storage, 275

Washington Street, Mount Vernon, New York on or about May 1, 2024, including the following:

- a. approximately 100 rounds of .40 Caliber Smith & Wesson Federal ammunition;
- iii. any and all ammunition or firearms seized from the Defendant's storage unit, Storage Unit 8, located at Levee Lock-It, 268 Washington Street, East Stroudsburg, Pennsylvania on or about May 1, 2024, including the following:
- a. 9mm Luger caliber privately-made Sig Sauer Model P320-style pistol;
 - b. 9mm Luger caliber privately-made SS80 Glockstore Model Glock 43-style pistol;
 - c. 9mm Luger caliber Sar Arms Model Hawk-PP pistol;
 - d. .40 Smith & Wesson caliber privately-made Polymer 80 Model PF940C Glock 23-style pistol (Glock 23 slide and barrel serial number DXG411);
 - e. 9mm Luger caliber privately-made Sig Sauer Model P228-style pistol;
 - f. .45 Auto caliber privately-made Polymer 80 Model PF45 Glock 21-style pistol;
 - g. 9mm Luger caliber privately-made Polymer 80 Model PFSS pistol;
 - h. .40 Smith & Wesson caliber privately-made Polymer 80 Model PF940V2 Gock 22-style pistol;
 - i. .45 Auto caliber privately-made Polymer 80 Model PF45 Glock 21-dtyle pistol;
 - j. .40 Smith & Wesson caliber privately-made Polymer 80 Model PF940C Glock 23-style pistol (Glock 23 slide and barrel serial number DZZ026);
 - k. 9mm Luger caliber privately-made Polymer 80 Model PF9SS Glock 43X-style pistol;

- l. .32 Smith & Wesson Long caliber Harington & Richardson Model 732 revolver;
- m. .22 long rifle caliber Hi Standard Model R 100 revolver;
- n. 9mm Luger caliber privately-made Mac-11-style pistol;
- o. 9mm Luger caliber Sig Sauer Model P226 pistol;
- p. 5.56mm caliber privately-made rifle, with pistol grip, bayonet lug, and muzzle device;
- q. 12-gauge Mossberg Model 500 ATP shotgun;
- r. 9mm Luger caliber Keltee Model Sub 2000 rifle;
- s. 12 gauge Remington Model 11-87 Premier shotgun;
- t. 7.62mm caliber Armscorp USA model M-14 rifle;
- u. .32 Winchester Special caliber Winchester Model 94 rifle;
- v. 5.56mm caliber Rock River Arms Model LAR-15 rifle;
- w. .223 Remington caliber Century Arms Model Golani Sporter rifle;
- x. 12 gauge Smith & Wesson Model 3000 shotgun;
- y. .22 long rifle caliber Mossberg Model 144 LSA rifle;
- z. .22 long rifle caliber Sears & Roebuck/J.C. Higgins Model 103.18 rifle;
- aa. 5.56 caliber Olympic Arms Model P.C.R. 99 rifle;
- bb. 7.62 x 39mm caliber ITM Arms Model MK99 rifle;
- cc. .22 long rifle caliber Walther Model Walther UZI .22LR MP rifle;
- dd. 7.62 x 39mm caliber Norinco Model SKS rifle;
- ee. 7.62 x 39mm caliber SKS rifle of unknown Chinese origin, imported by PW Arms;

ff. a readily-assembled pipe bomb;

gg. any and all ammunition seized from Storage Unit 8, located at Levee Lock-It, 268 Washington Street, East Stroudsburg, Pennsylvania;

(a. through gg., collectively, the “Specific Property”);

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Jay Clayton, United States Attorney, Assistant United States Attorney Justin L. Brooke, of counsel, and the Defendant and his counsel, Benjamin Gold, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, all of the Defendant’s right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture as to Specific Property is final as to the Defendant JAMES NEFF, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, the United States (or its designee) is hereby authorized to take possession of the Specific Property and to hold such property in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, www.forfeiture.gov. This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to 32.2 (b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

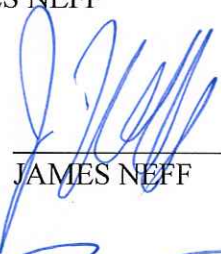
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]


10. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Property may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

JAY CLAYTON
United States Attorney for the
Southern District of New York

By:  _____
JUSTIN L. BROOKE
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(914) 993-1918
June 12, 2025
DATE

JAMES NEFF
By:  _____
JAMES NEFF
6/12/25
DATE

By:  _____
BENJAMIN GOLD, ESQ.
Attorney for Defendant
81 Main Street, Suite 300
White Plains, New York 10601
6/12/25
DATE

SO ORDERED:

 _____
HONORABLE CATHY SEIBEL
UNITED STATES DISTRICT JUDGE
6/13/25
DATE